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November 6, 2012

California Energy Commission
ATTN: Kenneth D. Celli, Hearing Advisor II
1516 Ninth Street, MS-9
Sacramento, CA 95814

California Energy Commission

DOCKETED
11-AFC-04

TN # 68390

NOV 06 2012

California Energy Commission
Energy Facilities Siting Office
ATTN: Pierre Martinez, Project Manager
1516 Ninth Street, MS-15
Sacramento CA 95814

RE: COUNTY OF RIVERSIDE'S REQUEST FOR AN EXTENSION OF THE PUBLIC COMMENT PERIOD FOR THE RIO MESA SOLAR ELECTRIC GENERATING FACILITY PRELIMINARY STAFF ASSESSMENT (DOCKET NO. 11-AFC-4)

Dear Mr. Celli and Mr. Martinez:

Please accept this letter as a follow up to my in person conversation with Mr. Martinez on October 29, 2012 at the recent staff workshop on the Preliminary Staff Assessment ("PSA") for the Rio Mesa Solar Electric Generating Facility project ("Project"). For the reasons set forth below, the County of Riverside respectfully requests that you extend the public comment period for the PSA until at least December 7, 2012 and that you confirm the County's comments to be submitted in December will be addressed in the Final Staff Assessment ("FSA").

As advised during the recent staff workshop, several different County departments are still actively reviewing the PSA for the purpose of providing comments and recommended conditions so as to adequately address the Project's ability to comply with County laws, ordinances, regulations and standards ("LORS").

Part A of the PSA was released on September 28, 2012. Part B of the PSA was released on October 15, 2012. Combined, the PSA is approximately 1400 pages. The published comment period for the PSA closes on November 14, 2012. A staff workshop on the PSA was held on October 29, 2012 in Sacramento. A second workshop is scheduled for November 14, 2012 in Palm Desert, the same day the PSA comment period closes. It remains my understanding that a third workshop concerning cultural resources is tentatively scheduled for November 28, 2012, two weeks after the PSA comment period closes.

This Project is of considerable importance to Riverside County. The County is not just a concerned citizen or group with a limited area of focus on one aspect of the Project. The County has several different, distinct departments that must evaluate the Project as a whole and evaluate the Project conditions of certification as they relate to County LORS. This Project would be under the County's land use authority but for the exclusive jurisdiction of the CEC for solar thermal projects of 50 megawatts or more. As advised on October 29, 2012, the County of

Riverside will be submitting comments on the PSA after CEC Staff's published comment deadline of November 14, 2012. All comments and proposed conditions from the County must be adopted by our Board of Supervisors at an agendaized open public meeting. County staff will not be submitting those comments and proposed conditions to the Board of Supervisors for its consideration until after the CEC public workshops. Discussion by CEC staff, the applicant, other interested agencies, and the public during those workshops may change County staff's recommendations to the Board. County staff currently intends to take this matter to our Board of Supervisors at its December 4th Board of Supervisors meeting.

During the October 29, 2012 workshop, CEC staff specifically requested that the County provide detailed comments about the County's land use LORS. The County needs additional time to provide those requested comments. Given the length of the PSA, the complexity of the issues which involve soliciting feedback from numerous County departments, the fact that most County departments are closed on Fridays, and the timelines that the County must comply with in order to place items on the Board of Supervisors' agenda, the published comment period deadline of November 14th, a mere 30 days after CEC staff's release of Part B of the PSA, is inadequate.

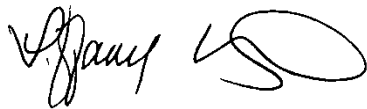
In addition, the County has concerns about the fairness of the public comment process when public workshops seeking comments on the Project are scheduled for dates after the close of published public comment period with no guarantee that the comments made at those workshops will be addressed in the FSA.

While we appreciate CEC Staff Counsel DeCarlo's recent email indicating that comments submitted after the November 14th deadline will not be rejected, we are uncomfortable proceeding on that basis and believe that our concerns merit the extension of the comment period requested herein.

Thank you for your attention to this matter. Your professional courtesy is appreciated.

Sincerely,

PAMELA J. WALLS
County Counsel

A handwritten signature in black ink, appearing to read "Tiffany N. North", followed by a large, stylized circular flourish.

TIFFANY N. NORTH
Deputy County Counsel



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV**

**APPLICATION FOR CERTIFICATION FOR THE
RIO MESA SOLAR ELECTRIC
GENERATING FACILITY**

**DOCKET NO. 11-AFC-04
PROOF OF SERVICE
(Revised 11/2/12)**

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DECLARATION OF SERVICE

I, Tiffany North, declare that on November 6, 2012, I served and filed a copy of the attached document: County of Riverside's request for an extension of the public comment period for the Rio Mesa Solar Electric Generating Facility Preliminary Staff Assessment, dated November 6, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at:

<http://www.energy.ca.gov/sitingcases/riomesa/index.html>.

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

(Check all that Apply)

For service to all other parties:

- ☒ Served electronically to all e-mail addresses on the Proof of Service list;
- ☐ Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses marked **"hard copy required"** or where no e-mail address is provided.

AND

For filing with the Docket Unit at the Energy Commission:

- ☒ by sending electronic copies to the e-mail address below (preferred method); **OR**
- ☐ by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

CALIFORNIA ENERGY COMMISSION – DOCKET UNIT

Attn: Docket No. 11-AFC-04

1516 Ninth Street, MS-4

Sacramento, CA 95814-5512

docket@energy.ca.gov

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

- ☐ Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission

Michael J. Levy, Chief Counsel

1516 Ninth Street MS-14

Sacramento, CA 95814

michael.levy@energy.ca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.


Tiffany North